

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

NET2PHONE, INC.

Plaintiff,

v.

EBAY INC., et. al.

Defendants

Civ. Action No. 06-2469 (KSH)

ORDER

KATHARINE S. HAYDEN, U.S.D.J.

The parties having submitted full briefing on the issues of claim construction; defendants having moved to strike the declaration of Larry Peterson (D.E. 123); the Court determining that it will consider defendants' motion when it conducts the Markman hearing; and good cause appearing,

It is on this 30th day of June, 2008,

ORDERED that defendants' motion to strike the declaration of Larry Peterson (D.E. 123) is **administratively terminated** and will be reactivated when the Court sets the date for the Markman hearing.

/s/Katharine S. Hayden
Katharine S. Hayden
United States District Judge